

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, WELFARE, APPRENTICESHIP SKILL  
IMPROVEMENT & SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES  
JAMES T. CALLAHAN, ROBERT SHAW, RUSSELL  
SHAW and CHRISTOPHER WARD, and JOHN and  
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE,  
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

**NOTICE OF MOTION  
FOR DEFAULT JUDGMENT**

08-CIV-1578 (BSJ)

Plaintiffs,

-against-

TROCOM CONSTRUCTION CORP.,

Defendant.

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PLEASE TAKE NOTICE, that upon the Affidavit of JAMES M. STEINBERG, ESQ., sworn to on the 26<sup>th</sup> day of March, 2008, Plaintiffs' Statement of Damages, and upon all of the prior papers and proceedings heretofore served and had herein, Plaintiffs, by their attorneys BRADY McGuire & Steinberg, P.C., will move this court, at the United States Courthouse located at 500 Pearl Street, New York, New York, before the Honorable Barbara S. Jones, at a date and time to be set by the Court, for a judgment of default against Defendant TROCOM CONSTRUCTION CORP. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure in the amount of \$54,463.62, together with such other and further relief as this Court may deem just, proper and equitable.

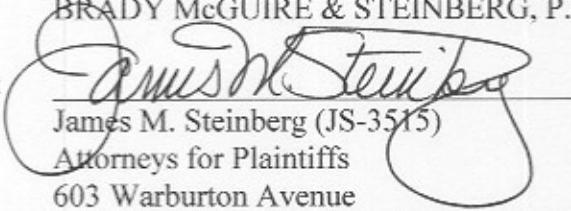
Dated: Hastings-on-Hudson, New York

March 26, 2008

Respectfully submitted,

BRADY McGUIRE & STEINBERG, P.C.

By:

  
James M. Steinberg (JS-3515)

Attorneys for Plaintiffs

603 Warburton Avenue

Hastings-on-Hudson, New York 10706

(914) 478-4293

TO: TROCOM CONSTRUCTION CORP.  
46-27 54<sup>th</sup> Road  
Maspeth, New York 11378

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**DEFAULT JUDGMENT**

08-CIV-1578 (BSJ)

Plaintiffs,

-against-

TROCOM CONSTRUCTION CORP.,

Defendant.

-----X

This action having been commenced on February 15, 2008 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the Defendant TROCOM CONSTRUCTION CORP. on March 4, 2008, by a Process Server, personal service upon Dottie Waters, the Managing Agent of Defendant TROCOM CONSTRUCTION CORP., and proof of service having been filed on March 12, 2008 through the ECF System, and the Defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is,

**ORDERED, ADJUDGED AND DECREED:** That the Plaintiffs have judgment against Defendant TROCOM CONSTRUCTION CORP. in the principal amount of \$42,559.45, with interest at 7.0% as prescribed by the Plan from August 1, 2006 through March 26, 2008 in the amount of \$4,925.21 and statutory damages in the amount of \$4,925.21, together with the costs and

disbursements of this action in the amount of \$415.00 and attorneys' fees in the amount of \$1,638.75, for a total liquidated amount of \$54,463.62, and it is further

**ORDERED** that the Judgment rendered by the Court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant TROCOM CONSTRUCTION CORP. and the Clerk of the Court is directed to enter such Judgment forthwith.

Dated: New York, New York  
April \_\_\_, 2008

**SO ORDERED:**

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**Barbara S. Jones, U.S.D.J.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

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INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES  
JAMES T. CALLAHAN, WILLIAM H. HARDING,  
LYNN A. MOUREY and ROBERT SHAW, and JOHN and  
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE,  
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

CLERK'S CERTIFICATE

08-CIV-1578 (BSJ)

Plaintiffs,

-against-

TROCOM CONSTRUCTION CORP.,

Defendant.

X

I, J. MICHAEL McMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on February 15, 2008 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint was personally served on Defendant TROCOM CONSTRUCTION CORP. on March 4, 2008, by, a process server, personal service upon Dottie Waters, the Managing Agent of Defendant TROCOM CONSTRUCTION CORP., and proof of service was filed on March 12, 2008 through the ECF System.

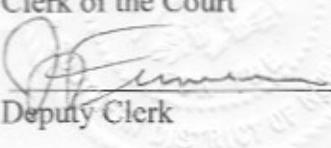
I further certify that the docket entries indicate that the Defendant has not filed an answer nor otherwise moved with respect to the Complaint herein. The default of the Defendant is hereby noted.

Dated: New York, New York

7/3/, 2008

J. MICHAEL McMAHON  
Clerk of the Court

By:

  
Deputy Clerk